

***United States Court of Appeals  
for the Second Circuit***



**APPENDIX**





# 76-1068

B.  
P/S

UNITED STATES COURT OF APPEALS  
FOR THE SECOND CIRCUIT

Case No. 76-1068

UNITED STATES OF AMERICA,

Respondent,

-against-

ROBERTO ORTEGA,

Appellant.

APPENDIX

Respectfully submitted,

ALBERT J. BRACKLEY  
Attorney for Appellant  
ROBERTO ORTEGA  
Office of P. O. Address  
150 Jay Street  
Brooklyn, New York 11201  
Tel: (212) MA 4-4444



I N D E X

	<u>PAGE</u>
DOCKET ENTRIES . . . . .	1A
SUPERSEDING INDICTMENT . . . . .	3A
TRIAL TRANSCRIPT . . . . .	5A
MINUTES OF SENTENCE . . . . .	15A
NOTICE OF APPEAL . . . . .	25A



JUDICIAL DISTRICT OF NEW YORK  
DATE 07/21  
207 1  
District Office

U.S. v. 75 CR 895  
ROBERTO ORTEGA

Case Filed  
Day Mo. Yr.  
24 11 75  
Defendants 1

CHARGES

18-2113(a)(d)(c) Did take from the person of  
Chase Manhattan Bank monies and did  
possess & carry away same by means of  
a dangerous weapon etc.

COUNTS 3  
MAJOR CASE NO. 3  
AMT. (0/00)  
State  
County  
City  
District  
Court  
Judge  
Trial  
Verdict  
Sentence  
Fines  
Costs  
Other  
Remarks  
(See Docket)

John L. Cadogan

Defense, Co. Atty. Ret. Waived, Self, None Other, L.P.O. 1

INDICTMENT

ARRAIGNMENT

TRIAL

High Risk  
Def. &  
Data Design'd  
Valued  
Superseding  
Indict/Info  
11-24-75  
Trial Set For  
12/4/75  
Not Guilty  
Guilty  
12/12/75

DATE	INITIAL/No.	INITIAL APPEARANCE	INITIAL/No.	OUTCOME
Return		PRELIMINARY EXAMINATION OR REMOVAL HEARING		Dismissed
Issued		Waived		Held for District CJ
Served		Not Waived		Held in Answer to U. S. District Court
Arrested				AT
AMT		Tape No.	INITIAL/No.	Magistrate's Initials

and suffix numbers of other defendants on same indictment/information

PROCEEDINGS

11-24-75 Before COSTANTINO J. - Superseding Indictment filed.  
12/4/75 Before PRAMWELL, J. - Case called- doft and counsel Albert Brock by present- doft arraigned and enters a plea of not guilty- bail contd and case adjd to 12/8/75 at 10:00 A.M. for trial.  
12/8/75 Before PRAMWELL, J. - Case called- doft and counsel present case adjd to 12/9/75 at 12:00 P.M. for suppression hearing.  
12/10/75 Before PRAMWELL, J. - doft and counsel present- hearing on motion to suppress begun-dofts motion to suppress etc- motion denied- both sides rest-motion to suppress denied hearing concluded-trial contd to 12/11/75 at 10:00 A.M.  
12/11/75 Before PRAMWELL, J. - Case called- doft and counsel present trial ordered and begun-jurors selected and sworn-trial contd to 12/12/75.  
12/12/75 Before PRAMWELL, J. - Case called- dofts and counsel present trial contd to 12/15/75 at 2:30 P.M.  
12/15/75 Before PRAMWELL, J. - Case called- Dofts and counsel present trial resumed-juror #1 reported sick-alternate juror #1 not juror i-govt rests- doft's motion to dismiss, etc. denied-trial contd to 12/16/75 at 9:30 A.M.

V. Excludable Party  
(a) (b) (c)

2 12/10/75

DATE

PROCEEDINGS

part of record on appeal filed (received from Chambers).

3-29-76 By BRAMWELL, J - Order filed that probation report of deft to be marked as an exhibit is granted, it is further ordered that the probation report of the deft be deemed marked defts. exhibit "A" for the purpose of the appeal herein.



UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

*Chenell, J*

3A

UNITED STATES OF AMERICA,

- against -

ROBERTO ORTEGA,

Defendant.

SUPERSEDING INDICTMENT

Cr. No. \_\_\_\_\_

(T. 18, U.S.C., §§2113(a)  
and 2113(d), 2113(c))

75 CR 895

THE GRAND JURY CHARGES:

COUNT ONE

On or about the 23rd day of October, 1975,  
within the Eastern District of New York, the defendant  
ROBERTO ORTEGA, and others unknown to the Grand Jury,  
knowingly and wilfully, by force, violence, and intima-  
tion, did take from the person and presence of employees  
of the Chase Manhattan Bank, located at 55-55 58th  
Street, Maspeth, New York approximately Fourteen Thousand  
Eight Hundred and Sixty Dollars (\$14,860), in United  
States currency, which money was in the care, custody,  
control, management and possession of the said Chase  
Manhattan Bank the deposits of which bank were then and  
there insured by the Federal Deposit Insurance Corporation.  
(Title 18, United States Code, Sections 2113(a) and 2.).

*2072*  
      

COUNT TWO

On or about the 23rd day of October, 1975, within  
the Eastern District of New York, the defendant ROBERTO  
ORTEGA, and others unknown to the Grand Jury, knowingly  
and wilfully, by force, violence and intimidation, did take  
from the person and presence of employees of the Chase  
Manhattan Bank, located at 55-55 58th Street, Maspeth,

New York, approximately Fourteen Thousand Eight Hundred and Sixty Dollars (\$14,860), in United States currency, which money was in the care, custody, control, management and possession of the said Chase Manhattan Bank the deposits of which bank were then and there insured by the Federal Deposit Insurance Corporation and in commission of this act and offense the defendant ROBERTO ORTEGA, and others unknown to the Grand Jury, did assault and place in jeopardy the lives of the said bank employees, as well as the lives of other persons present by the use of a dangerous weapon. (Title 18, United States Code, Sections 2113(d) and 2.).

COUNT THREE

On or about the 23rd day of October, 1975, within the Eastern District of New York, the defendant ROBERTO ORTEGA unlawfully and knowingly did possess approximately Two Thousand and Sixty Dollars (\$2,060) in United States currency which money had been taken and carried away with intent to steal and purloin from the care, custody, control, management and possession of the Chase Manhattan Bank, located at 55-55 58th Street, Kaspeth, New York, the deposits of which bank were then and there insured by the Federal Deposit Insurance Corporation, the defendant ROBERTO ORTEGA knowing said money to have been so taken and carried away. (Title 18, United States Code, Section 2113(c)).

A TRUE BILL

Robert T. Moran  
FOREMAN

David P. Trapp  
UNITED STATES ATTORNEY  
EASTERN DISTRICT OF NEW YORK



1  
2 Q Did anything unusual occur that morning?

3 A Yes, my partner and myself were sent to the  
4 bank robbery which occurred approximately 10:25 in the morning  
5 of 10/23/75.

6 Q Do you know the name of the bank?

7 A Chase Manhattan Bank.

8 Q Can you tell us where the bank is located?

9 A 55-55 58th Street, Maspeth, Queens.

10 Q That is in Queens?

11 A Yes.

12 Q As a result of the phone call, did you actually  
13 go to this particular bank?

14 A Yes.

15 Q Can you tell us approximately what time you  
16 arrived at the bank?

17 A Approximately a quarter to eleven.

18 Q This was sometime approximately 15 minutes after  
19 the report to you?

20 A Yes.

21 Q Would you please tell us what if anything you  
22 learned as a result of your interviews of the persons who were  
23 present during the commission of the bank robbery?

24 A As a result of talking to other officers and  
25 interviewing bank personnel we learned that three black males

BEST COPY AVAILABLE

1  
2 had entered the bank with pistols and did rob that bank,  
3 escaping in a vehicle which was parked out in front of the  
4 bank.

5 Q With regard to description, were any descriptions  
6 given to you or any other members of the Federal Bureau of  
7 Investigation or the New York City Police Department with  
8 regard to the bank robbers themselves?

9 A Yes.

10 Q Tell us what, if anything.

11 A Two of the individuals were described as being  
12 black males in their 20's, approximately five foot eight or  
13 nine, about 150 pounds. One slightly larger, another  
14 description.

15 Q With regard to the vehicle, did you indicate  
16 you had information at that time that the bank robbers left  
17 the bank and got into a car and drove away?

18 A A bank witness stationed outside the bank itself  
19 during the robbery witnessed the robbery and saw the  
20 individuals leave the bank and get into a blue 1975 Oldsmobile  
21 bearing plate 922HHA New York.

22 Q Do you recall whether this was an Oldsmobile  
23 or a Buick?

24 A Oldsmobile.

25 Q Do you recall the license plate number?



1  
2 Q Can you tell me then when you first saw Robert  
3 Ortega on the morning of October 23, 1975?

4 A The sidewalk in front of that residence, walking  
5 towards the vehicle in question. The Oldsmobile, 1975  
6 Oldsmobile.

7 Q Can you describe his personal appearance and  
8 physical characteristics?

9 A Black male, about five feet nine, 150 pounds.  
10 With the same jacket that he's got on now, I believe.

11 Q Would you please tell us what if anything Mr.  
12 Ortega did after you saw him on the street in front of the  
13 home?

14 A He entered the vehicle, started it, and proceeded  
15 down 100th Street. He turned onto Humphries and we went down  
16 25th Avenue intersecting with Humphries and stopped and took  
17 him out of the car and arrested him.

18 Q Did you indicate the vehicle Mr. Ortega was in  
19 or the license plate number 922ZEA?

20 A Yes. The vehicle described to us as being the  
21 getaway car from the bank robbery.

22 Q This is how long after the holdup in terms of  
23 time?

24 A An hour and a half.

25 Q When you indicate that you arrested Mr. Ortega

1  
2 would you describe the manner in which you effectuated  
3 arrest?

4 A Pulled alongside his vehicle, because of the  
5 nature of the crime, drew our weapons, and told him to stop  
6 the vehicle.

7 At that time we exited our vehicle and took him  
8 from the car and placed him under arrest.

9 Q At that time, did you suspect he was one of the  
10 men who committed the armed bank robbery?

11 A Yes.

12 MR. BRACKLEY: Objection.

13 THE COURT: I will permit it. Overruled.

14 Q At that time, did you suspect the car he was  
15 driving, that is 922ZEA New York license plate, had been used  
16 as a getaway car in the bank robbery?

17 A Yes.

18 MR. BRACKLEY: Objection.

19 THE COURT: I will permit it. You can let him  
20 state.

21 Q When you arrested the defendant at the vehicle,  
22 can you please tell us what if anything you obtained from  
23 his jacket and trousers?

24 A We had him outside the car, the detective and  
25 myself, and he had a large bulge in his pants pocket. The



1  
2 pants pocket, and also in the jacket he carried from the  
3 house which was in the vehicle.

4 And subsequent to the arrest I felt the jacket  
5 and it had a quantity of money in it. I removed it and I  
6 placed it with the other money.

7 Also the jacket pocket contained that pouch.

8 Q This money was found in two spots, the trousers  
9 and jacket?

10 A Yes.

11 Q The jacket is the jacket you think he is wearing  
12 today?

13 A Yes.

14 MR. CADEN: Let me have deemed marked --

15 THE COURT: For identification.

16 MR. CADEN: Government's Exhibit 2.

17 Q I ask you to look at that weapon?

18 A Yes.

19 Q I ask you if you can identify it?

20 A I have my initials scratched in and the date  
21 10/23/75.

22 Q Can you tell me where you first saw that  
23 weapon?

24 A Subsequent to arrest, after taking Mr. Ortega  
25 from that vehicle, 922ZFA, in the glove compartment, the

Cavanagh-direct

26

1  
2 glove box in front of the car, this weapon, a 357 Smith and  
3 Wesson magnum was located, and fully loaded at that time.

4 Q With regard to the glove compartment you  
5 indicated, how far is that from the steering wheel?

6 A Arms length.

7 Q Can you indicate where the defendant was at  
8 the time you searched the glove compartment?

9 A The defendant had been removed from the car he  
10 was driving and placed in a police vehicle, New York City  
11 Police vehicle.

12 Q With regard to the gun itself, can you identify  
13 it by any character or --

14 A I scratched in my initials and the date when  
15 I confiscated it.

16 Q I show you what is deemed marked Government's  
17 Exhibit 3 for identification, a number of bullets along  
18 with a -- a number of bullets, and I ask you to identify it.

19 A The rounds in this are rounds taken from this  
20 weapon previously identified.

21 They were in the cylinder at the time of the  
22 arrest. Five of them. I believe this is the sixth which  
23 was fired at the laboratory.

24 My initials and the date (indicating).

25 Q Government's Exhibit 3 for identification was



1  
2 arrest.

3 Q The description that you had, you would  
4 characterize that as a general description, would you not?

5 A I wouldn't say it is general. I would say it  
6 is a pretty accurate description by individuals in the bank.

7 Q When you say accurate, three people, five feet  
8 nine, 140 or 150 pounds, and dark skinned?

9 A Yes.

10 THE COURT: Black, he said.

11 A Yes.

12 Q Black?

13 THE COURT: That's what he said.

14 Q You would not consider that a general description?

15 A It could be considered general.

16 Q You were notified at the bank they had located  
17 the car?

18 A Yes.

19 Q Did you know how to get to the address in  
20 Elmhurst?

21 A No, I rode along with the New York City Police  
22 Department.

23 Q You met the two detectives who had been on the  
24 stakeout?

25 A Yes.

1

2

Q What time did you arrive at the scene?

3

A I can only approximate it. The scene of the

4

bank or the house?

5

Q The scene of the house.

6

A I would say about 11:10, 11:15, 11:25.

7

Q Did the defendant emerge from the house about

8

12:00 ?

9

A A little before 12:00.

10

Q Did you have a radio unit in your car?

11

A Yes.

12

Q Did you make any effort, while sitting there,

13

to obtain a search warrant for the automobile?

14

A No.

15

Q So when the defendant walked out of his house,

16

other than the fact he was a Negro, you knew nothing else as

17

you sat --

18

A Yes.

19

- Q And as he stepped into the automobile, you did

20

not know he was involved in the bank robbery, is that correct?

21

A I felt that whoever was in that car and going

22

to drive that car would have knowledge of this crime.

23

Q But you didn't know that?

24

A No, I didn't.

25

Q He gets into the automobile and begins to drive



1 into the automobile.

2 I submit the action of the police officers was  
3 reasonable under the circumstances and they probably  
4 would have been in dereliction of their duty if they  
5 had not at that time stopped this moving vehicle. And  
6 I know that this Court is well aware of the cases  
7 involving the probable cause that police officers have  
8 with regard to stopping automobiles without the need  
9 of a search warrant.

10 I cite Supreme Court case decided in 1970 by  
11 the name of Chambers against Marone. I submit the  
12 facts bear a striking resemblance to this case.

13 The Court not only sustained the probable  
14 cause to search the vehicle but also sustained the  
15 probable cause of the police officers to arrest the  
16 defendant therein.

17 Basically, I think that would in essence be  
18 the Government's argument with regard to the suppression  
19 as far as these four exhibits are concerned.

20 THE COURT: Mr. Brackley, anything further?

21 MR. BRACKLEY: Yes. I believe the Chambers  
22 case comes after Schimmel and limited the scope of  
23 the search. But that is about the argument.

24 THE COURT: Motion to suppress as to the arrest  
25 is denied. The action of the agent at the time that

1 it occurred was reasonable in light of the information  
2 that he had and in light of what had occurred a short  
3 time previous thereto.

4 MR. BRACKLEY: That also goes to the car?

5 THE COURT: Yes. That also goes for the car.

6 And whatever may have come out of the search  
7 of the car.

8 MR. BRACKLEY: The next issue I suppose is the  
9 statement.

10 Maybe we can make that into a stipulation.  
11 Are you bringing in the jury?

12 THE COURT: No, I am listening to you.

13 MR. BRACKLEY: We will go ahead on the statement.  
14 There are two statements.

15 THE COURT: Do you want to go ahead?

16 MR. CADEN: I don't know if Mr. Brackley still  
17 wants to have the motion. I have no objection to  
18 going ahead.

19 MR. BRACKLEY: Do you intend to use the  
20 statements with respect to fighting with the agents  
21 or any of that?

22 MR. CADEN: Definitely not. The only statement  
23 would be --

24 MR. BRACKLEY: Yes, I understand.

25 MR. CADEN: I provided Mr. Brackley with all the



1  
2 UNITED STATES DISTRICT COURT  
3 EASTERN DISTRICT OF NEW YORK

4 -----X

5 UNITED STATES OF AMERICA, :

6 -against- :

75-CR-895

7 ROBERTO FRANCISCO ORTEGA, :

8 Defendant. :

9 -----X

10  
11 United States Courthouse  
12 Brooklyn, New York

13 February 6, 1976  
14 10:00 o'clock A.M.

15 B e f o r e :

16 HONORABLE HENRY BRAMWELL, U.S.D.J.  
17

18  
19  
20  
21  
22 HENRY LEGENDRE  
23 ACTING OFFICIAL COURT REPORTER  
24  
25

1  
2 Appearances:  
34 DAVID G. TRAGER, ESQ.  
5 United States Attorney  
6 for the Eastern District of New York7 BY: JOHN CADEN, ESQ.  
8 Assistant U.S. Attorney9 ALBERT J. BRACKLEY, ESQ.  
10 Attorney for the Defendant  
11  
12  
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1  
2 THE CLERK: For sentence Roberto Francisco  
3 Ortega.

4 THE COURT: Mr. Brackley, is there any legal  
5 reason why the defendant should not be sentenced at  
6 this time.

7 MR. BRACKLEY: No, your Honor.

8 THE COURT: Mr. Ortega, any reason why you  
9 should not be sentenced at this time?

10 DEFENDANT ORTEGA: No, sir.

11 THE COURT: All right, I'll hear Mr. Brackley.

12 MR. BRACKLEY: Your Honor, I guess it's not  
13 the best time to make this particular argument, but  
14 I think it should be said, I read the probation  
15 report and although the defendant in this case went  
16 to trial on two counts of bank robbery and one count  
17 of possession, he was found guilty of only that part  
18 of the crime. I read through the probation report  
19 where it is the majority of the background of the  
20 case has to do with interviews with FBI agents, where  
21 they suspect the defendant to be involved with some  
22 12 to 20 other robberies, where they then go for a  
23 long litany of the things that happened to people at  
24 those robberies.

25 THE COURT: For purposes of this particular  
sentence I will confine myself to the count which the

1 jury has found him guilty of and to his prior record  
2 I'll take that into consideration.

3 MR. BRACKLEY: I wouldn't expect your Honor to  
4 do anything other than that. I would have to take  
5 exception as to anything in the probation report  
6 where they go from the allegation of FBI agents to  
7 later on in the report, say the defendant's behavior  
8 during those robberies indicates that he has an anti-  
9 social behavior. He's never been convicted of any  
10 robbery. I know he's in a very difficult situation  
11 standing here. I feel that kind of a probation report,  
12 although your Honor has experience and knows not to  
13 be affected by it. How can it not really affect your  
14 Honor that he pistol whipped and throw mace in their  
15 face. He's never been convicted of any such thing.  
16 I must say it's one of the worst probation reports  
17 I've ever seen. He's now the person involved in the  
18 15, 20 robberies. He's the person pistol whipping  
19 people. He wasn't convicted of any of that. I don't  
20 see in fairness that should be part of the charge  
21 against him here, although it is not, it certainly  
22 is going to be a factor in any sentence that your  
23 Honor hands down.

24 I've seen the rest of the report, it's strange  
25 in a sense that he comes from an intact family,



1 brothers and sisters are successful.

2 THE COURT: His mother and his father took the  
3 witness stand, they are hard working people, they are  
4 industrious people. He comes from a good home.

5 MR. BRACKLEY: I'm not into psychiatry or  
6 Freud or any of that business, I see when he was two  
7 years old they left him in Panama. They came up here  
8 and tried to establish what life they could establish  
9 for themselves, then they brought him up, resulting  
10 that he was put back something because he couldn't  
11 speak English. I don't know whether that caused him  
12 to be more aggressive than he should have been. He's  
13 facing a ten year sentence. Your Honor has a wide  
14 variety of sentences. If there is a sentence that  
15 can be imposed which might lead to some sort of a  
16 way the defendant can be channeled, he's still a  
17 young man. If such a thing is possible with the  
18 background that he has. The Federal sentencing pro-  
19 cedure seems to be very futuristic in the sense they  
20 seem to take these things into consideration. I  
21 know the crime is a vicious crime; I know he's  
22 charged, not convicted, but --

23 THE COURT: There was a gun, a 357 magnum  
24 found in the glove compartment of a car that he was  
25 in.

1 MR. BRACKLEY: They said he threatened the  
2 FBI with that gun. He indicated that he had some  
3 problems only when they tried to take his shoes from  
4 him, the report seemed to indicate -- I'm not saying  
5 it was done with deliberation -- take the FBI point.  
6 If there is some kind of sentence that you could give  
7 out with the discretion that you have which might  
8 save him for the future, I would ask your Honor to  
9 consider it. You can throw him away for ten years  
10 and leave him there. All these vicious things the  
11 FBI said he did. There is a possibility of salvation.

12 THE COURT: But for the fact that a witness  
13 was in the phone booth this man never would have been  
14 caught. This man went on his own credit card and his  
15 own name, he rented a car. This is how brazen it was.  
16 This is real brazen, and just drove up to a bank in  
17 a rented car and but for the fact that that witness  
18 was in that phone booth, this man never would have  
19 been caught; and the sneaker print puts him in that  
20 bank.

21 MR. BRACKLEY: That's what I mean, your Honor  
22 is basing your sentence on the fact that he's part  
23 of the bank robbery.

24 THE COURT: I can only base it on what  
25 happened. I can't do any more than what happened



1 being the jury chose to find him guilty of possession  
2 of the money which had come out of the robbery, but  
3 there is no question that that footprint puts that  
4 man in that bank, no question in the Court's mind as  
5 to that.

6 MR. BRACKLEY: That's why I say it's a difficult  
7 argument.

8 THE COURT: He was caught within an hour of  
9 when the crime happened an hour later and that foot-  
10 print from that sneaker puts that defendant in that  
11 bank.

12 MR. BRACKLEY: We brought in the photograph  
13 which I believe showed it was a different sneaker.  
14 That was part of our case. It seems that's what he's  
15 being sentenced for, the bank robbery rather than the  
16 possession.

17 THE COURT: He's being sentenced on what the  
18 jury found him guilty of. The Court is bound by  
19 that and cannot do any more than what he was found  
20 guilty of. That is what the Court is bound by, but  
21 I mean everything here about this situation seems to  
22 show that this man had to be part of what happened.  
23 It seems to show that to the Court. The Court is  
24 bound by what the jury did.

25 11 MR. BRACKLEY: I have nothing else.

1 THE COURT: Mr. Ortega, what do you say?

2 DEFENDANT ORTEGA: I feel I've been prejudiced.  
3 The sneakers I don't know what the picture shows.  
4 Those sneakers are different. The footprints don't  
5 mean nothing. Those sneakers were short-cut. I had  
6 high top. If anybody had a chance to look at those  
7 sneakers they would see. That's all I have to say.

8 THE COURT: All right. It is adjudged that  
9 the defendant is hereby committed to the custody of  
10 the Attorney General or his authorized representative  
11 for a term of imprisonment of ten years.

12 This defendant was eligible to be sentenced  
13 under the Youth Correction Act, the Court considered  
14 the Youth Correction Act prior to the imposition of  
15 sentence.

16 Rule 32(a)(2) of the Federal Rules of  
17 Criminal Procedure required Court to advise the  
18 defendant of his right to appeal and the right of a  
19 person unable to pay the cost of such appeal to apply  
20 for leave to appeal in forma pauperis, that is  
21 without cost.

22 MR. BRACKLEY: Since you have him the maximum  
23 sentence, could you give him that study sentence --  
24 where they give him the study and bring him back.  
25 They may say something there which may cause your



1 Honor to reconsider.

2 THE COURT: After consideration and going over  
3 this with the sentence panel, this is the Court's  
4 position. The application is denied.  
5

6 MR. BRACKLEY: Thank you, Judge.

7 (Whereupon Court stood in recess in this  
8 matter.)  
9

10 \* \* \* \*  
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25

UNITED STATES DISTRICT COURT

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA,

Docket Number 75 Cr 812

-against-

ROBERTO ORTEGA,

HENRY BRANWELL, D.J.  
(District Court Judge)

Defendant.

NOTICE OF APPEAL

Notice is hereby given that ROBERTO ORTEGA appeals to  
the United States Court of Appeals for the Second Circuit from the ☒ Judgment ☐ order ☐ other  
(specify) \_\_\_\_\_ entered in this action on February 6, 1976  
(Date)

Date February 6, 1976

Address

ALBERT J. BRACKLEY  
(Counsel for Appellant)  
186 Joralemon Street  
Brooklyn, New York 11201  
Tel: MA 5-5884/5737

To: Clerk, United States District Court

Phone Number MA 5-5884/5737

ADD ADDITIONAL PAGE IF NECESSARY  
(TO BE COMPLETED BY ATTORNEY)

TRANSCRIPT INFORMATION - FORM B

QUESTIONNAIRE

- ☐ I am ordering a transcript  
☐ I am not ordering a transcript  
Reason:  
☐ Daily copy is available  
☐ U.S. Attorney has placed order  
☐ Other. Attach explanation

TRANSCRIPT ORDER

- Prepare transcript of  
☒ Pre-trial proceedings  
☐ Trial  
☒ Sentence  
☒ Post-trial proceedings

DESCRIPTION OF PROCEEDINGS  
FOR WHICH TRANSCRIPT IS  
REQUIRED (INCLUDE DATE)

The ATTORNEY certifies that he will make satisfactory arrangements with the court reporter for payment of the cost of the transcript. (FRAP 10(b)) ☒ Method of payment ☐ Funds ☒ CJA Form 21

ATTORNEY'S signature

DATE 2/11/76

COURT REPORTER ACKNOWLEDGEMENT

To be completed by Court Reporter and forwarded to Court of Appeals.

Date order received	Estimated completion date	Estimated number of pages.

Date \_\_\_\_\_ Signature \_\_\_\_\_ (Court Reporter)

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